

Application No.: 09/856766

Docket No.: UFJ-002US

Hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. **EV 311022380 US** US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Dated: January 28, 2004
Jane Remillard
Signature:
(Jane E. Remillard)

Docket No.: UFJ-002US

(PATENT)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Harry S. Nick, et al

Application No.: 09/856766

Group Art Unit: 1636

Filed: August 28, 2001

Examiner: R. Akhavan

For: MANGANESE SUPEROXIDE DISMUTASE
REGULATORY ELEMENTS AND USES
THEREFORE

AMENDMENT AND RESPONSE

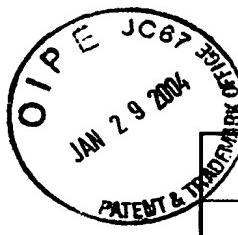
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This communication is in response to the Office Action dated July 28, 2003 (Paper No. 5). Responsive to the Office Action, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.



31-30-04

1636

AMENDMENT TRANSMITTAL LETTER

Docket No.
UFJ-002USApplication No.
09/856766-Conf. #2342Filing Date
August 28, 2001Examiner
Ramin AkhavanArt Unit
1636

Applicant(s): Harry S. Nick et al.

Invention: MANGANESE SUPEROXIDE DISMUTASE REGULATORY ELEMENTS AND USES
THEREFORE

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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

TECH CENTER 1600/2900

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 30 =	x	0.00	
Independent Claims	4	- 6 =	x	0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month 475.00					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 475.00					

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. 12-0080 in the amount of \$ 475.00
A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: January 28, 2004

Jane E. Remillard

Attorney Reg. No.: 38,872

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

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Dated: January 28, 2004

Signature:

(Jane E. Remillard)

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O/I 1067
JAN 29 2004
PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 475.00)

Complete if Known	
Application Number	09/856766-Conf. #2342
Filing Date	August 28, 2001
First Named Inventor	Harry S. Nick
Examiner Name	Ramin Akhavan
Art Unit	1636
Attorney Docket No.	UFJ-002US

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FEB 06 2004

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)			
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None	3. ADDITIONAL FEES		
<input checked="" type="checkbox"/> Deposit Account:				Large Entity			Small Entity
Deposit Account Number				Fee Code	Fee (\$)	Fee Code	Fee (\$)
12-0080				1051	130	2051	65
Deposit Account Name				1052	50	2052	25
Lahive & Cockfield, LLP				1053	130	1053	130
The Director is authorized to: (check all that apply)				1812	2,520	1812	2,520
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments				1804	920*	1804	920*
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)				1805	1,840*	1805	1,840*
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				1251	110	2251	55
FEE CALCULATION							
1. BASIC FILING FEE							
Large Entity	Small Entity	Fee Description	Fee Paid	Fee Description	Fee Paid	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)			Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee		1254 1,480	2254 740	Extension for reply within fourth month	
1002 340	2002 170	Design filing fee		1255 2,010	2255 1,005	Extension for reply within fifth month	
1003 530	2003 265	Plant filing fee		1401 330	2401 165	Notice of Appeal	
1004 770	2004 385	Reissue filing fee		1402 330	2402 165	Filing a brief in support of an appeal	
1005 160	2005 80	Provisional filing fee		1403 290	2403 145	Request for oral hearing	
SUBTOTAL (1) (\$ 0.00)				1451 1,510	1451 1,510	Petition to institute a public use proceeding	
				1452 110	2452 55	Petition to revive – unavoidable	
				1453 1,330	2453 665	Petition to revive - unintentional	
				1501 1,330	2501 665	Utility issue fee (or reissue)	
				1502 480	2502 240	Design issue fee	
				1503 640	2503 320	Plant issue fee	
				1460 130	1460 130	Petitions to the Commissioner	
				1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
				1806 180	1806 180	Submission of Information Disclosure Stmt	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE							
Extra Claims	Fee from below	Fee Paid		Fee Description	Fee Paid	Fee Description	Fee Paid
Total Claims 23	-30** =	<input type="text"/>	x <input type="text"/>	Fee Paid			
Independent Claims 4	-6** =	<input type="text"/>	x <input type="text"/>	= 0.00			
Multiple Dependent		<input type="text"/>	= 0.00				
SUBTOTAL (2) (\$ 0.00)				8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
**or number previously paid, if greater; For Reissues, see above				1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
				1810 770	2810 385	For each additional invention to be examined (37CFR 1.129(b))	
				1801 770	2801 385	Request for Continued Examination (RCE)	
				1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)							
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 475.00)			

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Jane E. Remillard	Registration No. (Attorney/Agent)	38,872	Telephone (617) 227-7400
Signature	<i>Jane Remillard</i>	Date	January 28, 2004	

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Dated: January 28, 2004

Signature: *Jane Remillard*

(Jane E. Remillard)